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FACSIMILE COVER LETTER

April 24, 2006

To: Latrice Sims (571-273-6500)

Company: Deposit Accounts, U.S. Patent and Trademark Office

From: Todd T. Taylor

RE: Refund to Deposit Account No. 200095

Our ref: LII0548.US/2002-0527.02. Serial No. 10/625,383

Comments:

Total number of pages, including this page: **17**

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PATENT & TRADEMARK ATTORNEYS

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RONALD G. AUST
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*STEPHEN D. HOCKEY
**RONALD M. RICKERT

**OF COUNSEL

April 24, 2006

Via facsimile
571-273-6500Commissioner for Patents and Trademarks
Deposit Accounts
Mail Stop 16
PO Box 1450
Alexandria, VA 22313-1450

ATTN: Latrice Sims

RE: Refund to Deposit Account No. 200095
Our file ref: POL0055.US, Serial No. 10/625,383

Dear Ms. Sims:

Enclosed herewith please find a copy of the monthly Statement of Deposit Account dated April 2006.

As shown on the attached Monthly Statement of Deposit Account, Deposit Account No. 200095 was debited a total amount of \$120.00 in association with U.S. Patent Serial No. 10/625,383. In particular, the Monthly Statement of Deposit Account indicates that the total amount of \$120.00 for a 1 month extension was not included for the Brief of Appellant which was submitted on March 31, 2006. Please note as stated on the Office Action dated March 2, 2006, "the time limit for filing an appeal brief will be reset to be one month from mailing of this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater". The one-month date from the decision would be April 2, 2006, or the balance of the two month time period from the receipt of the Notice of Appeal would be March 17, 2006; we filed our response on March 31, 2006 via Express Mail, therefore the amount of \$120.00 should have not been deducted from our deposit account. Copies of these documents are enclosed for your review. Thus, it is requested that the \$120.00 taken out of the deposit account on April 6, 2006 for the 1 month extension be refunded.

INDIANAPOLIS OFFICE:
1205 E. WASHINGTON ST.
INDIANAPOLIS, INDIANA 46229
TELEPHONE (317) 894-0881Internet
www.taylorand.com
E-MAIL

PAGE 01/1 *CVD/AT 04/27/2006 8:18:07 AM [Eastern Daylight Time] *SVR:USPTO-EFRR-220 *DNIS:2735500 *CSID:260 897 9300 *DURATION (mm-ss):04:46

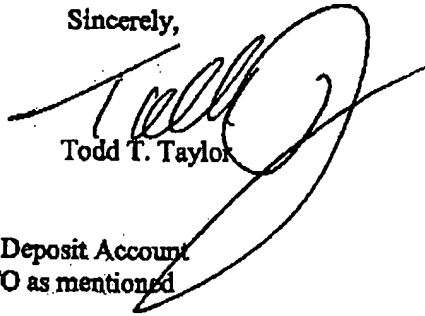
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Ms. Latrice Sims
April 24, 2006
Page 2

Accordingly, it is respectfully requested that Deposit Account No. 200095 be credited in the amount of \$120.00 for this error.

If you have any questions, please do not hesitate to telephone the undersigned.

Sincerely,



Todd T. Taylor

TTT/mb

Encs: Copy of Monthly Statement of Deposit Account
Document filed with the USPTO as mentioned

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Deposit Account Statement

Page 1 of 1

**United States
Patent and
Trademark Office**USPTO
Home
PageFinance
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Page**Deposit Account Statement**

Requested Statement Month: April 2006
Deposit Account Number: 200095
Name: TAYLOR & AUST, P.C.
Attention: TODD TAYLOR
Address: 142 S MAIN STREET
City: AVILLA
State: IN
Zip: 46710
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/06	1	10825383	2002-0527.02	1251	\$120.00	\$1,316.00
04/07	31	10165237	POL0047.US	2202	-\$250.00	\$1,566.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
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PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		2002-0527.02	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>January 13, 2006</u>		Application Number	Filed
Signature <u>Ronald K. Aust</u>		10/625,383	July 23, 2003
Typed or printed name <u>Ronald K. Aust</u>		First Named Inventor	
		Christopher A. Adkins, et al.	
		Art Unit	Examiner
		3621	E. Augustin
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the		<u>Ronald K. Aust</u>	
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Ronald K. Aust	
<input type="checkbox"/> attorney or agent of record. Registration number _____		Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 <u>Reg. No. 36,735</u>		317-894-0801	
		Telephone number	
		January 13, 2006	
		Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of _____ forms are submitted.			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Christopher A. Adkins; et al.
Serial No.: 10/625,383
Filed: July 23, 2003
Title: METHOD FOR PROVIDING IMAGING
SUBSTANCE FOR USE IN AN IMAGING DEVICE
VIA A VIRTUAL REPLENISHMENT
)
) Group: 3621
)
)
)
) Examiner: E. Augustin

NOTICE OF APPEAL

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's decision dated August 16, 2005, finally rejecting Claims 1-90. A Petition for Extension of Time is filed herewith.

The \$500.00 appeal fee and the extension of time fee of \$450.00 is enclosed.

Respectfully submitted,

Ronald K. Aust

Ronald K. Aust
Registration No. 36,735
Attorney for Applicants

RKA14/ts

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12029 E. Washington Street
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Telephone: 317-894-0801
Facsimile: 317-894-0803

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January 13, 2006

Ronald K. Aust, Reg. No. 36,735

Name of Registered Representative

Ronald K. Aust

Signature

January 13, 2006

Date

2002-0527.02/LII0548.US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Christopher A. Adkins, et al.
Serial No.: 10/625,383
Filed: July 23, 2003
Title: METHOD FOR PROVIDING IMAGING
SUBSTANCE FOR USE IN AN IMAGING DEVICE
VIA A VIRTUAL REPLENISHMENT
)
) Group: 3621
)
)
)
) Examiner: E. Augustin

ATTACHMENT TO PRE-APPEAL BRIEF REQUEST FOR REVIEW

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby submit the present Attachment to Pre-Appeal Brief Request For Review.

REMARKS

Claims 1-90 are pending in the present patent application. Claims 1-90 stand rejected.

Applicants believe that claims 1-90 are patentable over the cited references, and that the rejection of claims 1-90 is clearly in error, for at least the reasons set forth below.

Claims 1-24, 29-54, 59-70, and 75-86 were rejected under 35 U.S.C. §103(a) as being unpatentable over Takemoto, et al., U.S. Patent Application Publication No. 2002/0012541 A1 (hereinafter Takemoto) in view of Ruder, U.S. Patent No. 4,967,207.

Applicants have summarized Takemoto and Ruder as set forth in Applicants' Reply under 37 C.F.R. 1.116, mailed October 17, 2005, beginning at the upper portion of page 20 and ending near the bottom of page 21.

Claim 1 is directed to a method for providing a virtual replenishing of a supply item with an imaging substance. Claim 1 recites, in part, providing a first supply item containing an actual supply of the imaging substance, the actual supply including a licensed amount of the imaging substance and a surplus amount of the imaging substance. Claim 1 also recites wherein if the verification key received from the database corresponds to the first key stored in the memory associated with the first supply item, then performing the step of allocating at least a portion of the surplus amount of the imaging substance contained in the first supply item for use.

2002-0527.02/LII0548.US

PAGE 7/17 * RCVD AT 4/27/2006 8:18:07 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/20 * DNIS:2736500 * CSID:260 897 9300 * DURATION (mm-ss):04-46

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As set forth in Applicants' Reply under 37 C.F.R. 1.116, beginning at the bottom of page 21, and ending at the bottom of page 25, Applicants respectfully submit the combination of Takemoto and Ruder would not yield Applicants' invention of claim 1, that Takemoto in view of Ruder, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 1, and that hence, claim 1 is not obvious over Takemoto in view or Ruder.

In contrast to claim 1, Takemoto discloses determining whether a license is available for the cartridge or not, and if not, the user is offered the opportunity to pay a fee, and if not, the user is subsequently is offered to pay a fee two months later, or otherwise asked to accept that some functions of the Takemoto image forming apparatus 100 will be restricted (page 14, paragraph 223 to page 15, paragraph 234). Functions may be restricted if the user does not pay the fee (page 15, paragraph 239), but printer operation is allowed without a license until 30% remaining toner is detected. Once 30% remaining toner is reached, operation of the printer is stopped, and the user is warned to get a license immediately or exchange the cartridge (page 16, paragraphs 240-243).

Thus, in contrast to providing a first supply item containing an actual supply of the imaging substance, the actual supply including a licensed amount of the imaging substance and a surplus amount of the imaging substance, Takemoto discloses a supply item (the cartridge) having a portion of which may be used prior to obtaining the license, e.g., 70%. If the license is paid for, the user may use the full 100% of the toner.

Accordingly, as acknowledged by the Examiner, Takemoto does not disclose, teach, or suggest a surplus amount of imaging substance contained in the Takemoto supply item, at least of portion of which may be allocated for use if the verification key received from the database corresponds to the first key stored in the memory associated with the first supply item, as recited in claim 1.

Ruder discloses a print assembly 10 having a reservoir container 14 that provides ink to an ejector 12 (col. 5, lines 63-68). Reservoir container 14 may be refilled by drawing a vacuum in reservoir container 14, and connecting a colorant supply line 54 to refill needle 26, wherein colorant is drawn into container 14 from a colorant supply bottle 56 by the vacuum (col. 8, lines 23-37).

Thus, in contrast to a first supply item containing an actual supply of the imaging substance, the actual supply including a licensed amount of the imaging substance and a surplus amount of the imaging substance, any corresponding Ruder surplus amount is not contained in the first supply item, but rather is contained in another device, colorant supply bottle 56.

Since the Ruder colorant supply bottle 56 is used to refill the Ruder reservoir container 14, it is clear that Ruder discloses physically refilling a reservoir container 14 (the first supply item),

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using a second item, colorant supply bottle 56, in contrast to a virtual replenishing of the supply item, via a surplus amount of imaging substance contained in the supply item, at least of portion of which may be allocated for use if the verification key received from the database corresponds to the first key stored in the memory associated with the first supply item, as recited in claim 1.

Stated differently, there is no surplus amount of imaging substance contained in the corresponding Ruder first supply item (reservoir container 14) that may be allocated for use if a verification key corresponds to a key stored in a memory associated with the supply item.

Thus, Takemoto and Ruder, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 1, and would not yield Applicants' claimed invention, and hence, claim 1 is not obvious over Takemoto in view of Ruder.

Regarding the Examiner's assertion that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references, Applicants submit that in order to establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. However, as acknowledged by the Examiner, Takemoto does not disclose, teach, or suggest the use of a surplus of toner in the Takemoto cartridge to refill the cartridge. In addition, Ruder does not disclose, teach, or suggest the use of a surplus of ink in the corresponding Ruder first supply item. Rather, Ruder employs a separate colorant supply bottle to physically replenish the corresponding first supply item (reservoir container 14). Thus, since all of the claim limitations are not disclosed, taught, or suggested by Takemoto and Ruder, taken alone or in combination, claim 1 is not obvious over Takemoto in view of Ruder.

In addition, Applicants disagree with the Examiner's characterization of Applicants' invention (see the Examiner's Response to Arguments in the Final Office Action, mailed August 16, 2005, beginning at the bottom portion of page 2 through the upper portion of page 3). The Examiner's characterization is overly broad, and clearly does not reflect the limitations recited in claim 1.

For example, the Examiner broadly asserts that a "principal enabler" of Applicants' invention is the ability to monitor the amount of toner and to "take corrective action" if the remaining amount falls below a particular threshold, which may be to replenish the toner cartridge with a "licensed surplus amount," and that the system "performs due diligence." However, claim 1 does not recite the broadly asserted "principle enabler," much less the broad assertions being to "take corrective action," and to perform "due diligence." In addition, Takemoto and Ruder, taken alone or in combination, clearly do not disclose, teach, or suggest a "licensed surplus amount."

2002-0527.02/LII0548.US

3

Rather, Applicants respectfully submit that the asserted combination is based on hindsight reconstruction, wherein the characterization was constructed in an overly broad manner in an attempt to capture Applicants' claimed invention as being obvious, by using Applicants' claimed invention as a template to piece together the teachings of Takemoto and Ruder. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. *In re Fritch*, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992).

In addition, regarding the Examiner's statement that the type of corrective action is taken is a design choice, a finding of obvious design choice is precluded where the claimed structure and the function it performs are different from the prior art. *In re Gal*, 980 F.2d 717, 25 USPQ2d 1076 (Fed. Cir. 1992); *In re Chu*, USPQ2d 1089 (Fed. Cir. 1995). As acknowledged by the Examiner, Takemoto does not disclose, teach, or suggest using a surplus of toner to refill the cartridge. Ruder also does not disclose use of a surplus of ink in the corresponding Ruder first supply item to refill the first supply item. Rather than a virtual replenishment based on a first supply item containing an actual supply of the imaging substance, the actual supply including a licensed amount of the imaging substance and a surplus amount of the imaging substance, Ruder uses a second item to physically refill the corresponding first item.

Also, as set forth above, Takemoto and Ruder, taken alone or in combination do not disclose, teach, or suggest wherein if the verification key received from the database corresponds to the first key stored in the memory associated with the first supply item, then performing the step of allocating at least a portion of the surplus amount of the imaging substance contained in the first supply item for use, as recited in claim 1.

Thus, the claim 1 structure and functions performed thereby are different from the prior art.

Further, the virtual replenishing of a supply item in accordance with Applicants' invention does not require additional components, and the cost and complexity associated therewith, such as the Ruder colorant supply line 54, refill needle 26, and separate colorant supply bottle 56, because with the Applicants' invention, the supply item itself contains a licensed amount of the imaging substance *and* a surplus amount of the imaging substance for use in virtual replenishing.

Claims 13, 29, 30, 31, 43, 59, and 75 are believed allowable for substantially the same reasons as set forth above with respect to claim 1.

2002-0527.02/LII0548.US

PAGE 10/17 * RCVD AT 4/27/2006 8:18:07 AM [Eastern Daylight Time] * SVR:USPTO-EFAXF-2/20 * DNIS:2736500 * CSID:260 897 9300 * DURATION (mm-ss):04:46

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Claims 2-12, 14-24, 32-42, 44-54, 60-70, and 76-86 are believed allowable due to their dependence upon otherwise allowable respective base claims 1, 13, 29, 30, 31, 43, 59, and 75.

Dependent claims 25-28, 55-58, 71-74, and 87-90 were rejected under 35 U.S.C. §103(a) as being unpatentable over Takemoto in view of Walmsley, Simon Robert, U.S. Patent No. 6,816,968 B1 (hereinafter, Walmsley). Applicants have summarized Walmsley as set forth in Applicants' Reply under 37 C.F.R. 1.116, on page 35. Applicants respectfully request reconsideration of the rejection of claims 25-28, 55-58, 71-74, and 87-90 in view of the following.

Walmsley does not make up for the deficiency of Takemoto and Ruder as applied to base claims 13, 43, 59, and 75. Accordingly, claims 25-28, 55-58, 71-74, and 87-90 are believed allowable due to their dependence upon their otherwise allowable respective base claims.

For the foregoing reasons, Applicants submit that the present application is in condition for allowance in its present form, and it is respectfully requested that a Notice of Allowance be issued in due course.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

Respectfully submitted,

Ronald K. Aust
Ronald K. Aust
Registration No. 36,735

Attorney for Applicants

RKA14/ts

TAYLOR & AUST, P.C.
12029 E. Washington Street
Indianapolis, IN 46229
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January 13, 2006

Ronald K. Aust, Reg. No. 36,735

Name of Registered Representative

Ronald K. Aust

Signature

January 13, 2006

Date

2002-0527.02/LII0548.US

PAGE 11/17 * RCVD AT 4/27/2006 8:18:07 AM [Eastern Daylight Time] * SVR:USPTO-EF-XRF-2/20 * DNIS:2736500 * CSID:260 897 9300 * DURATION (mm-ss):04:46

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Christopher A. Adkins, et al.
Serial No.: 10/625,383
Filed: July 23, 2003
Title: METHOD FOR PROVIDING IMAGING
SUBSTANCE FOR USE IN AN IMAGING DEVICE
VIA A VIRTUAL REPLENISHMENT
)
) Group: 3621
)
)
)
) Examiner: E. Augustin

PETITION FOR EXTENSION OF TIME

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant petitions the Commissioner for Patents to extend the time for filing of the Notice Of Appeal in the above-entitled application for two (2) months from November 16, 2005, to January 16, 2006.

Applicant submits herewith a check in the amount of \$450 which covers the Extension of Time Fee Required by 37 C.F.R. 1.17.

Respectfully submitted,

Ronald K. Aust

Ronald K. Aust
Registration No. 36,735
Attorney for Applicants

RKA14/ts

TAYLOR & AUST, P.C.
12029 E. Washington Street
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January 13, 2006

Ronald K. Aust, Reg. No. 36,735
Name of Registered Representative

Ronald K. Aust
Signature

January 13, 2006

Date

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ENCs.: Petition for Extension of Time
 Pre-Appeal Brief Request For Review

950.0

Request For Review
 & Notice of Appeal; Check No.

RECEIPT IS ACKNOWLEDGED OF:

TYPE OF PAPER:
 Notice Of Appeal

ENCs.: Petition for Extension of Time
 Pre-Appeal Brief Request For Review
 Attachment To Pre-Appeal Brief Request For Review
 Fee for Petition for Extension of Time & Notice of Appeal; Check No.
 14005, \$950.00

DATE MAILED: January 13, 2006
 OUR REF.: 2002-0527.02/LI0548 US

TITLE: METHOD FOR PROVIDING IMAGING SUBSTANCE FOR USE
 IN AN IMAGING DEVICE VIA A VIRTUAL REPLENISHMENT
 APPLICANT: Christopher A. Adkins, et al
 SERIAL NO.: 10/625,383
 FILING DATE: July 23, 2003
 BKA/ls



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
104821383	07/23/2003	Christopher A. Atkins	2002-0527.02	2361

21972 7998 03/02/2006

LEXMARK INTERNATIONAL, INC.
 INTELLECTUAL PROPERTY LAW DEPARTMENT
 740 WEST NEW CIRCLE ROAD
 BLDG. 082-1
 LEXINGTON, KY 40550-0999

EXAMINER

AUGUSTIN, EVANS J

ART UNIT

PAPER NUMBER

381


DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

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Application Number 	Application/Control No.		Applicant(s)/ Reexamination.
	10/625,383		ADKINS ET AL
James P. Trammell		Art Unit	3621
Document Code - AP.PRE.DEC			

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 11/1/06

1. ☐ Improper Request – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ Proceed to Board of Patent Appeals and Interferences – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendable under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-90

Claim(s) withdrawn from consideration: _____


3. ☐ Allowable application – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ Reopen Prosecution – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) James P. Trammell 

(2) Austin, Evans (SA)

(3) Kumbia, Abhi 

(4) _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

PATENT

In re Application of
Christopher A. Adkins, et al.
Serial No.: 10/625,383
Filed: July 23, 2003
Title: METHOD FOR PROVIDING IMAGING
SUBSTANCE FOR USE IN AN IMAGING DEVICE
VIA A VIRTUAL REPLENISHMENT

)
) Group: 3621
)
)
)
) Examiner: E. Augustin

LETTER

MS APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is the Brief of Appellant in the above-identified patent application.
The \$500.00 fee is enclosed.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petitions) therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Respectfully submitted,

Paul C. Gosnell
Paul C. Gosnell
Registration No. 46,735

Attorney for Applicant

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DATE MAILED: March 31, 2006
OUR REF.: 2002-0527.02/LN0548.US

TITLE: METHOD FOR PROVIDING IMAGING SUBSTANCE FOR USE
IN AN IMAGING DEVICE VIA A VIRTUAL REPLENISHMENT
APPLICANT: Christopher A. Adkins, et al.
SERIAL NO.: 10/625,383
FILING DATE: July 23, 2003
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